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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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12 CAROLYN E. TURNER,

13 Plaintiff,

No. CIV. S-04-1825-FCD-PAN

14 vs.

15 JO ANNE B. BARNHART,
16 Commissioner of Social
Security,

ORDER

17 Defendant.
18 _____/

19 This matter is before the court on plaintiff's motion for
20 judgment and defendant's cross-motion for judgment. These motions
21 were referred to the Honorable Peter A. Nowinski, United States
22 Magistrate Judge, pursuant to 28 U.S.C. §§ 636, et seq., and Local
23 Rule 72-302. On November 30, 2005, Judge Nowinski filed findings
24 and recommendation which were served on all parties and objections
25 were to be filed within ten days after service. Neither party has
26 filed objections to the findings and recommendation.

1 The court has reviewed the file and finds the findings
2 and recommendation to be supported by the record and by the
3 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
4 that:

5 1. The Findings and Recommendation filed November 30, 2005,
6 are adopted in full;

7 2. Plaintiff's motion for summary judgment or remand is
8 denied; and

9 3. Defendant's cross-motion for summary judgment is granted.

10 DATED: January 31, 2006

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12 /s/ Frank C. Damrell Jr. _____
13 FRANK C. DAMRELL JR.
14 United States District Judge
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